

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

PUREWICK CORPORATION,)	
)	
Plaintiff/Counterclaim Defendant,)	
)	C.A. No. 19-1508-MN
v.)	
)	
SAGE PRODUCTS, LLC,)	
)	
Defendant/Counterclaim Plaintiff.)	

VOIR DIRE

Good morning, ladies and gentlemen. My name is Maryellen Noreika and I am the Judge who will be presiding over the trial in this civil case for which a jury is about to be selected.

I am going to ask you some questions, the purpose of which is to: (1) enable us to determine whether or not any prospective juror should be excused for cause; and (2) enable counsel for the parties to exercise their individual judgment with respect to what are called peremptory challenges, that is, challenges that counsel can make to a potential juror without giving any reason.

Before I ask any questions, I am going to ask my Deputy, Ms. Walker, to swear the jury panel to answer all questions truthfully. (Panel sworn).

You each have a list of the questions that I am also going to read out loud. If any of you answer “yes” to any of the questions that I ask, please make a note of that on the list. At the end of the questions, I will ask some of you whether you answered yes to any questions and, if you did, take you out into the hall where you will wait to talk with the lawyers and me about your answers.

We are having jury selection for a case that will begin today and last up to 5 days – until April 1st. The trial will be timed, so the attorneys have to complete their presentations within the five days. It is possible, however, that jury deliberations may require you to be here longer than

the scheduled number of days. Our trial days will run approximately from 9:00 a.m. to 4:30 p.m. each day.

My questions:

1. Does the schedule that I have just mentioned present a special problem to any of you?

2. The Plaintiff in this case is PureWick Corporation. It has brought a lawsuit against the Defendant, Sage Products, LLC, for patent infringement. Sage has also counter-sued PureWick for a finding that PureWick's patents are invalid and not infringed. Have you heard anything about the case between these parties before today?

3. Have you, someone in your immediate family, or a close friend had any dealings with, owned stock in, or been employed by PureWick Corporation, Sage Products, LLC, C.R. Bard, Becton, Dickinson and Company, also known as BD, or Stryker Corporation?

4. Have any of you or your immediate families ever had any experience, good or bad, with any of these companies or their products that might keep you from being a fair and impartial juror in this case, or do you otherwise have any opinion about them?

5. The lawyers and law firms involved in this trial are listed here. Please carefully review the list to determine whether you, someone in your immediate family, or a close friend knows of, has any business dealings with, or has been employed by any of these attorneys or law firms:

Quinn Emanuel Urquhart & Sullivan

Steven Cherny

Ray Nimrod

Brian Biddinger

Jason Williams

Athena Dalton

Nicola Felice

Bianca Fox

Shaw Keller, LLP

John Shaw

Andrew Russell

McAndrews, Held & Malloy

Sandra Frantzen

Deborah Laughton

Ryan Pianetto

Christopher Scharff

Robert Surrette

Brad Loren

Young, Conaway, Stargatt & Taylor LLP

Anne Shea Gaza

Samantha G. Wilson

6. Have you or anyone in your immediate family ever worked in the legal profession, including working for any court, judge, lawyer, or law firm?

7. The potential witnesses in this case are listed here. Please carefully review the list to determine whether you, someone in your immediate family, or a close friend is related to, or personally acquainted with, any of these individuals:

Nick Alexander

Brett Blabas

Jason Bobay

Brian Burn

Ed Callan

John Collins

Ruby Dy

Brian Ecklund

Joseph Forehand

John Gohde

Mark Harvie

Arrigo “Rick” Jezzi

Gregory Leonard

Erika Lietzan

Gregory Mann

Diane Newman

Camille Newton

Raymond Newton

Kelsey Paskal

Robert Sanchez

Kristin Sexton

Laura Shaw

Donald Sheldon

Marcus Simon

Robert Sterne

Vincent Thomas

Jill Thompson

Daniel Ulreich

Edward Yun

Paul Zani

8. Have you, someone in your immediate family, or a close friend had any experience with patents, patent law, patented technology, or the United States Patent and Trademark Office?

9. Have you, someone in your immediate family, or a close friend ever applied for, or obtained, a United States patent or foreign patent?

10. Do you have any opinions about patents that might make it difficult for you to be a fair and impartial juror?

11. Have you, someone in your immediate family, a close friend, or your employer ever been involved in a dispute about patents?

12. Do you have any formal education or training, or have you worked in any of the following fields: law, biomedical engineering, healthcare, accounting, finance, advertising or marketing?

13. Do you, someone in your immediate family, or a close friend have experience designing or developing medical devices?

14. Have you, someone in your immediate family, or a close friend ever worked for a company that develops, manufactures, markets, or sells medical devices?

15. **Sage Proposal:** Do you have any strong beliefs or feelings, positive or negative, about medical device companies in general?

16. **Sage Proposal:** Do you, someone in your immediate family, or a close friend have any opinions about or experience with urinary catheters or products used in connection with urinary incontinence?

17. Are you uncomfortable speaking about urinary incontinence issues or aspects of male and female anatomy to the point that you believe it would interfere with your ability to freely discuss them in deciding this case?

18. Have you, someone in your immediate family, or a close friend ever been involved in a lawsuit, either as the party suing, the party being sued, or as a witness?

19. Have you ever served as a juror in a lawsuit?

20. Have you ever had any experience with the legal system that might keep you from being a fair and impartial juror?

21. If you are selected to sit as a juror in this case, are you aware of any reason why you would be unable to render a verdict based solely on the evidence presented at trial?

22. If you are selected to sit as a juror in this case, are you aware of any reason why you would not be able to follow the law as I give it to you?

23. Is there anything, such as poor vision, difficulty hearing, or difficulty understanding spoken or written English that would make it difficult for you to serve on this jury?

24. This is the last question. Do you know of any other matter that you believe should be called to the Court's attention as having some bearing upon your qualifications or ability to sit as a juror, or that you think may prevent you from rendering a fair and impartial verdict based solely upon the evidence and my instructions as to the law? This includes anything relating to any of my previous questions.